

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

BRUCE D. WILLIAMS, #746494 §
VS. § CIVIL ACTION NO. 6:15cv7
STEPHEN WILLIAMS, ET AL. §

ORDER OF DISMISSAL

Plaintiff Bruce D. Williams, an inmate confined at the Powledge Unit of the Texas prison system, proceeding *pro se*, filed the above-styled and numbered civil rights lawsuit pursuant to 42 U.S.C. § 1983. The complaint was referred to United States Magistrate Judge John D. Love, who issued a Report and Recommendation concluding that the civil rights lawsuit should be dismissed because Williams has an identical lawsuit pending in *Williams v. Williams*, Civil Action No. 6:14cv516. Williams has filed objections. He asserts that his previous lawsuit has been dismissed pursuant to the “three strikes” provisions of 28 U.S.C. § 1915(g); thus, he filed this lawsuit. He is incorrect. A recommendation was made to dismiss Civil Action Number 6:14cv516 pursuant to 28 U.S.C. § 1915(g) on June 4, 2014. However, the lawsuit is still pending at this time. It has not been dismissed. An additional recommendation was made to permit Williams to proceed with the lawsuit if he pays the full filing fee of \$400 within fifteen days after the entry of the order dismissing the case. As such, Williams was given the option to continue the lawsuit if he pays the full filing fee of \$400 in that case. He did not follow the instructions of the Court when he filed this lawsuit.

The Report of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration, and having

made a *de novo* review of the objections raised by Williams, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and the objections by Williams are without merit. Therefore the Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of the Court. It is accordingly

ORDERED that the Report and Recommendation (docket entry #7) is **ADOPTED**. It is further

ORDERED that the civil rights lawsuit is **DISMISSED** with prejudice pursuant to 28 U.S.C. § 1915A(b)(1). It is finally

ORDERED that all motions not previously ruled on are **DENIED**.

It is SO ORDERED.

SIGNED this 9th day of February, 2015.



MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE